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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,088	11/05/1999	HUI HU	ITI-02	3474

7590 10/01/2002

HUI HU
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WAUKESHA, WI 53186

EXAMINER

PATEL, JAYANTI K

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 10/01/2002

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/434,088

Applicant(s)

HU ET AL.

Examiner

Jayanti K. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Novemebr 5, 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

PART III DETAILED ACTION

Drawings

1. The drawings filed on November 5, 1999 have been approved by draftperson.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-2, 6, 11, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (US 5,235,510) in view of Wood et al. (US 5,715,823).

Regarding claim 1, Yamada discloses a computer-aided diagnosis system for medical use comprising:

At least one receiving station under the control of at least one user of the system (column 7, lines 13-35); at least one transmitting station physically separated from receiving station (figure 1, element 14); at least one type of network connecting and transmitting data between, the transmitting station and receiving station (figure 1, element 16); means for the system accessing at least one patient data source containing one patient volume data set acquired at least using one data acquisition method (column 9, lines 15-35 and figure 8, element 70).

Yamada discloses various users' interfaces at receiving station (figure 12, element 102). However, Yamada is silent about the specific details regarding receiving station for enabling user to specify volume data.

In the same field of endeavor, however, Wood discloses an ultrasonic diagnostic imaging system comprising an user interface means provided at receiving station for enabling the user to specify at least one request of volume data rendering result, comprising specification of data rendering parameters of at least one volume data rendering method (column 11, lines 25-45 and figure 10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use user interface as taught by Wood in the system of Yamada because the system of Wood provides Yamada with a medical diagnostic system which is capable of being accessed over Internet using existing hardware and software. The systems similar to the instant application and that of Yamada and Wood

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are well known in the medical diagnostic as being evidence by the other pertinent art cited in this office action.

As to claim 2, Yamada discloses a display means for presenting the rendering result and a plurality of rendering parameters.

As to claims 6, 11-13, claims 6, 11-13 recites limitations of a typical data communication system including multiple receiving stations (see Yamada, figure 1 and Wood, figure 1, elements 10 and 100).

4. Claims 3-5, 7-10, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (US 5,235,510) in view of Wood et al. (US 5,715,823) as analyzed above and further in view of Bro (US 5,596,994).

Regarding claims 3-4 and 7-8, while Yamada and Wood provide typical security management features (Yamada, column 7, lines 15-30) for computer system, are silent about the specific details regarding encrypting demographic data.

In the same field of endeavor, however, Bro discloses an automated interactive medicine guidance system comprising security and data management means for preventing unauthorized user from gaining access including demographic data encrypting and data transmission features (column 19, line 60 through column 20, line 40 and column 11, lines 1-4).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use data security and management features as taught by Bro in the system of Yamada because the system of Bro provides Yamada with a medical guidance system which provides interactive network service having

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information exchange to increase patient's behavioral change and health. Additionally, such security features are essential to maintain patients' confidentiality and are available any such network based computer system.

Regarding claims 5, 9-10 and 14-16, claims 5, 9-10 and 14-16 recites features of a typical data base system interconnected to Internet or a network including data compression, transmission features which are disclosed by Yamada (column 6, lines 28-55).

Other prior art cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tipirneni (US 6,381,029) discloses a system for remote viewing of patient medical images.

Illiff (US 5,660,176) discloses a computerized medical diagnostic and treatment system.

Zavislan (US 5,836,877) discloses a system for facilitating pathological examination of a lesion in tissue.

Pflugrath et al. (US 5,603,323) discloses a medical ultrasonic diagnostic system.

Debbins et al. (US 6,362,620) discloses an MR imaging system with interactive image contrast control over a network.

Itil et al. (US 5,730,146) discloses a medical data acquisition, transmission, analysis and reporting system.

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Joao (US 6,283,761) discloses a system for providing healthcare information (figure 2).

Liff et al. (US 6,283,322) discloses a system for controlling drug dispensing system.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jayanti K. Patel whose telephone number is (703) 308-7728. The examiner can normally be reached on Monday-Friday (7:30-4:30), alternate Fridays off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703) 308-6604. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5397 for regular communications and (703) 306-5406 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

JKP
September 24, 2002


Jayanti K. Patel
Primary Examiner